

A BILL

To authorize the establishment of a National Defense Civilian Reserve and to provide for the training of such reservists and their call to active duty in the event of a national emergency declared by the President or the Congress, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the heads of the Federal Departments and agencies, including Government owned and operated corporations and the District of Columbia, are authorized to establish units of a National Defense Civilian Reserve and provide for the training of members thereof; and to call such reservists to active duty in the event of a national emergency as declared by the President or Congress.

SEC. 2. Subject to such regulations as he may prescribe, the President may authorize the heads of Departments to establish units of a National Defense Civilian Reserve. The Departments which have established units of the National Defense Civilian Reserve may select and designate persons to serve in such units and persons so designated may be called to duty for pre-emergency training without regard to the Civil Service laws or the Classification Act of 1949, as amended, or other laws relating to the appointment of persons to the Department concerned; Provided, however, that during such periods

as persons designated as members of units of the National Defense Civilian Reserve are undergoing training, such persons shall not be or become employees or officials of the Federal Government, except for the purpose of coverage under the Federal Employees Compensation Act.

SEC. 3. The President may provide, by delegation or otherwise, for the appropriate administration of the provisions of this Act, including such consultation as may be required with Departments designated to establish units of the Executive Reserve, and for the issuance of regulations and for the administration and operation of the program. The President may authorize the redelegation of authority delegated under this Act.

SEC. 4. Any member of a unit of the reserve, who is temporarily called to duty for training purposes, may be:

(a) Paid travel expenses from his place of residence to and from his place of training, such expenses to be in accordance with the Travel Expenses Act of 1949, as amended, and Standard Government Travel Regulations; and per diem allowances in lieu of subsistence in accordance with applicable law; (5 USC 835-842)

(b) Upon the determination of the head of the Department, any member of a reserve unit may be paid for the period of orientation and training, without regard to the Classification Act of 1949, as amended,

or other pay statutes covering regular employees of the Department concerned: Provided, however, that the number of reservists receiving pay under this provision shall not exceed twenty per cent of the total authorized strength of such reserve units: Provided, further, payments shall be made to reservists under this subsection only upon a determination by the head of the Department concerned (or his designee) that payment in the specific instance is necessary to avoid hardship and inequity on the part of the individual reservist concerned.

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SEC. 5. The President may provide by regulation for the appropriate security requirements and safeguards, including full field investigations where necessary, for members of units of Departments concerned. To the extent consistent with national security and the national interest, full field investigations shall be held to the minimum required for the effective operation of the unit.

SEC. 6. When members of the National Defense Civilian Reserve have completed the prescribed courses of training, met the security standards, taken the prescribed oath, and met such other requirements as may be prescribed under the terms of this Act, such members may be provisionally appointed to positions in the Department and in the event of their call to active duty by reason of a national emergency, may enter upon and perform their duties without further

formality or without regard to other provisions of law relating to appointment, tenure, or status. Members called to active duty shall not thereby acquire competitive status, tenure, or other benefits under the Civil Service laws, except that they shall be paid in accordance with the provisions of the Federal Employees Compensation Act.

SEC. 7. Except for training or consultant purposes, members of units of the National Defense Civilian Reserve shall be called to active duty only during a national emergency. Such national emergency may be proclaimed by the President or by the Congress in a concurrent resolution; or by the declaration of a Civil Defense Emergency as provided for in the Federal Civil Defense Act of 1950, as amended.

SEC. 8. Unless otherwise required by the context, the term "Department" means (a) each Executive Department, (b) each independent establishment or agency in the Executive Branch, (c) Government owned or controlled corporations subject to Title I or Title II of the Government Corporations Control Act, and (d) the Municipal Government of the District of Columbia.

SEC. 9. Members of units of the National Defense Civilian Reserve who are not full-time government employees shall be exempt from the operation of Sections 281, 283, 434, and 1914 of Title 18, USC, and Section 190 of the revised statutes. (5 USC 99)

**SEC. 10.** Appropriations available to a Department having established, under the provisions of this Act, units of the National Defense Civilian Reserve, shall be available for the expenses of such units in carrying out the provisions of this Act.